

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Public Services – Legal Metrology (Weights & Measurements) Department - Allegation of corruption of demand and acceptance of bribe by Sri Pole Syam Raju, Formerly Technical Assistant, O/o Inspector, Legal Metrology, Guntur District – Trapped on 07-04-2009 – Sanction for Prosecution - Accorded – Revised Orders – Issued.

CONSUMER AFFAIRS, FOOD & CIVIL SUPPLIES (VS) DEPARTMENT

G.O.Ms.No. 57

Dated:01-12-2010.

ORDER:

Whereas, Sri Pole Syam Raju, worked as Technical Assistant O/o Inspector, Legal Metrology, Guntur District from 26-05-2007 to 07-04-2009 and by virtue of the post held by him he falls under the category of Public Servant as defined under section 2 (c) of the Prevention of Corruption Act, 1988 (Act, 49 of 1988);

2. And whereas, Sri Shaik Ibrahim Khaleelullah is a resident of 4th Arundalpet, Guntur and is a proprietor of speed systems, service & Repairs Weighing Machines, Guntur,

3. And whereas, it is alleged that Shaik Ibrahim Khaleelullah having speed systems in Guntur with a Government License GNT/RL-125/2006 under which, he is doing service & repairs of weights and measures electrical weighing machines etc., Sri Shaik Ibrahim Khaleelullah submits challans of service & repairing particulars for certification and stamping to Sri Gyer Ramesh, formerly inspector, Legal Metrology, Sattenapalle (i/c) Guntur, Guntur District, who verifies the same, collects stamping fee and affixes stamps on the stamping plates and issue verification certificates and he was demanding Rs.250/- as bribe for stamping each weighing Machine. On 02-04-2009 Sri Shaik Ibrahim Khaleelullah met Sri Gyer Ramesh, formerly Inspector, Legal Metrology, Sattenapalle/ I/c, Guntur, Guntur District for doing the stamping of 13 class III and one class II stamping relating to (Type 1 to 14) and issuing of the verification certificates in his office at Guntur. Sri Gyer Ramesh demanded Rs.250/- as bribe for stamping each plate and issuing verification certificates. Sri Shaik Ibrahim Khaleelullah expressed his inability to pay the amount and Sri Gyer Ramesh did not hear the request of Sri Shaik Ibrahim Khaleelullah. Though Sri Shaik Ibrahim Khaleelullah was not willing to pay the bribe to Sri Gyer Ramesh but as there was no other alternative, Sri Shaik Ibrahim Khaleelullah agreed to pay the bribe amount. Sri Gyer Ramesh informed that Sri Shaik Ibrahim Khaleelullah to bring Rs 3,500/- on 07-04-2009 for the 14 plates at the rate of Rs. 250/- for each plate and pay the same to Sri P. Syam Raju, a clerk working with him and present there at that time and then only, he would complete his work. Sri Gyer Ramesh further asked Sri Shaik Ibrahim Khaleelullah to bring Rs.350/- towards Government fee for the class II plate and Rs. 200/- for each class III plate and required filled in challans ie., a total Government fee of Rs.2,950/-. As Sri Shaik Ibrahim Khaleelullah was unwilling to pay bribe to Sri Gyer Ramesh, Inspector and Syam Raju, clerk he approached the office of Deputy Superintendent of Police, ACB, Vijayawada and lodged a complaint. On receipt of the complaint, the District Inspector, ACB informed the DSP, ACB, Vijayawada Range and as per his instructions he made confidential enquiries with regard to the genuineness of the complaint and reputation of Sri Gyer Ramesh, Inspector, Legal Metrology and submitted his report. Based on the report, the DSP, ACB registered a case in Cr.No.07/RCT-ACB-VJA/2009 under section 7 of the Prevention of Corruption Act, 1988 on 7.4.2009 at 2.30 PM after obtaining permission from the competent authority and investigated into.

4. And whereas, after completing the pre-trap proceedings on 07-04-2009 the DSP, ACB, Vijayawada range along with trap party consisting of the mediators, staff of ACB, Vijayawada Range, Sri Shaik Ibrahim Khaleelullah left the office of District Inspector, ACB, Guntur at 5.40 PM and reached near the vicinity of the office of Sri Gyer Ramesh. As per the instructions of the DSP, Sri Shaik Ibrahim Khaleelullah was found entering into the office of Sri Gyer Ramesh and

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found Sri Gyer Ramesh and Sri P. Syam Raju were not present. Sri Sunil, Technical Assistant who was present there informed Sri Shaik Ibrahim Khaleelullah that he spoke to Sri Gyer Ramesh about his arrival on cell phone and Sri Gyer Ramesh asked Sri Sunil to receive the Challans and prepare verification certificates and wait for his arrival. As per the instructions of the DSP Sri Shaik Ibrahim Khaleelullah waited there and the trap party took their vantage positions. After the arrival of Sri Gyer Ramesh and Sri P. Syam Raju from outside, Sri Shaik Ibrahim Khaleelullah met Sri Gyer Ramesh in his office room and requested him to do the official favour of stamping 10 metallic stamping plates and issuing verification certificates. Then Sri Gyer Ramesh again demanded him to pay the bribe amount of Rs.3,500/- to Sri P. Syam Raju. Sri Shaik Ibrahim Khaleelullah took a wad of currency notes from his left side front shirt pocket and handed over to Sri P. Syam Raju, who accepted the same with his right hand and further asked Sri Shaik Ibrahim Khaleelullah to give the Government fee. Sri Shaik Ibrahim Khaleelullah took another wad of currency notes from his right side pant pocket and handed over the same to Sri P. Syam Raju, who accepted the same with his right hand, counted the currency amounting to Rs.2,950/- and Sri Shaik Ibrahim Khaleelullah requested Sri P. Syam Raju to prepare verification certificates in respect of remaining 4 challans and Sri P. Syam Raju informed that verification certificates relating to the remaining four challans could not be issued and also concerned metallic plates could not be stamped, since they pertained to new registrations and not renewals and informed him to meet District Inspector, Legal Metrology, Guntur for issue of appropriate certificates. So saying, Sri P. Syam Raju returned Rs.1,000/- from the wad of bribe amount and Rs 800/- from the wad of Government cash to Sri Shaik Ibrahim Khaleelullah. Then Sri P. Syam Raju carried out the Government cash of Rs.2,150/- and bribe of Rs.2,500/- in two wads to Sri Gyer Ramesh and informed the details. As per instructions of Sri Gyer Ramesh, Inspector, Legal metrology, Sri P. Syam Raju kept the amounts in the almyrah in cash box and returned the keys to Sri Gyer Ramesh. Then Sri Shaik Ibrahim Khaleelullah came out and gave the pre-arranged signal at about 8.45PM. The raid party immediately rushed there and trapped Sri Gyer Ramesh and Sri P. Syam Raju. As per the instructions of the DSP, Sodium Carbonate Solution test was conducted on both the hand fingers of Sri Gyer Ramesh, both hand fingers yielded negative result. When the DSP conducted SC solution test on both hand fingers of Sri P. Syam Raju it proved positive. As per the instructions of the DSP, Sri P. Syam Raju led the trap party to the almirah and showed the iron cash box stating that the bribe amount as well as the Government fee received from Sri Shaik Ibrahim Khaleelullah was there in the box and as per instructions of the DSP, Sri P. Syam Raju opened the cash box and picked up two wads of currency notes and produced the same before the trap party. As per the instructions of the DSP, one of the mediators verified the two wads, the first wad containing 5 five hundred rupee notes compared the serial numbers of the currency notes with those of the serial numbers produced by Sri Shaik Ibrahim Khaleelullah during pre trap proceeds found tallied. The 2nd wad containing Rs.2,150/- and the serial numbers of the currency notes when compared found tallied with the some of those mentioned in mediators Report I. The DSP seized the two wads of currency notes amounting to Rs.2,500/- and Rs.2,150/- connected papers, resultant solutions and other connected material etc.,

5. And whereas, the above acts of Sri Pole Syam Raju who worked as Technical Assistant O/o Inspector, Legal Metrology, Guntur district constitute offences punishable under sections 7, and 13(2) read with section 13(1) (d) of Prevention of Corruption Act, 1988 and section 34 Indian Penal Code, 1860.

6. And whereas, the Government of Andhra Pradesh being the competent authority to remove Sri Pole Syam Raju, Formerly Technical Assistant, O/o Inspector, Legal Metrology, Guntur District from service after fully and carefully examining the material (i.e. Final Report, F.I.R. Mediators names, Gist of statement of witness etc.,) placed before them in respect of the aforesaid acts and having regard to the facts and circumstances of the case consider that the said Sri Pole Syam Raju, Technical Assistant, O/o Inspector, Legal Metrology, Guntur District should be prosecuted in a Court of Law.

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7. Now, therefore in exercise of the powers conferred by Clause (b) of sub-section (1) of section 19 of the Prevention of Corruption Act, 1988 and Section 197 of the Code of Criminal Procedure, 1973, Government hereby accord sanction for prosecution of the above said Sri Pole Syam Raju, Formerly Technical Assistant, O/o Inspector, Legal Metrology, Guntur District for the offences punishable under section 7 & 13(2), read with Section 13(1) (d) of Prevention of Corruption Act, 1988 and Section 34 of the Indian Penal Code, 1860 and for any other cognate offences punishable under any other provisions of Law for the time being in force in respect of the aforesaid acts and for taking cognizance of the said offences by a Court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**(SANJAY JAJU),
E.O.SECRETARY TO GOVERNMENT.**

To
The Director General,
Anti Corruption Bureau,
A.P.Hyderabad.

//Forwarded By Order//

Section Officer